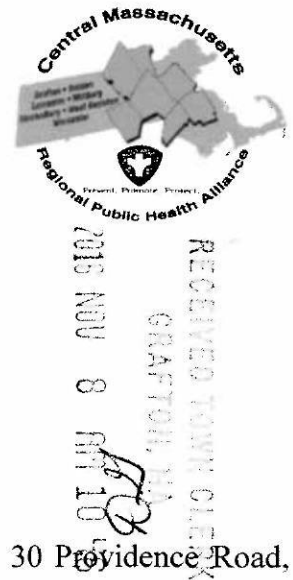




BOARD OF HEALTH
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 x1119
(508) 839-8559 FAX
healthdept@grafton-ma.gov

HEALTH DEPARTMENT



MINUTES
BOARD OF HEALTH
OCTOBER 3, 2016
CONFERENCE ROOM F

A meeting of the Board of Health was held in Conference Room F, Municipal Center, 30 Providence Road, Grafton, MA.

MEMBERS PRESENT: Deborah A. Chouinard, Vice Chairman; Richard J. Kirejczyk, Clerk; Philip E. Dumas and Jay Gardiner, Members

Karen Gwozdowski Gauvin, Chairman, was not present.

Also in attendance: Nancy Connors, Recording Secretary

A motion was made by Mrs. Chouinard to open the meeting at 6:00 P.M., seconded by Mr. Gardiner; unanimously passed.

CMRPHA Update

Mrs. Chouinard noted that no one from the Alliance would be present this evening making this the second month in a row with no representation from them. Kathy Johnson, Assistant City Manager, sent an email to the Town Administrator on Friday afternoon, September 30th that due to the Religious Holiday no one would be available. She continued that the email was sent to the Town Administrator and not the Board of Health. In addition the Monthly CMRPHA Board of Health Meeting Updates for October, 2016 was just received by email today after 4:00 P.M. from Phil Leger which does not give members time to review it prior to the meeting. She also stated that this meeting was scheduled two months ago and the agenda was posted last Thursday, September 29th.

Administration (ADM)

Mrs. Chouinard read the report and stated that this section is the exact same as last months with no changes.

Environmental Health (EH)

Mrs. Chouinard noted that the MAHB annual trainings will be on November 12th in Marlborough and November 5th in Taunton.

Community Health (CH)

- Mrs. Chouinard noted that Grafton Public Schools will be celebrating International Walk to School Day on October 5th
- Grafton Elementary schools have committed to doing Walking Wednesdays until the end of the year
- Grafton Safe Routes to School will participate in Octoberfest 2016 on October 15th by facilitating activities to encourage walking and biking

Nursing (PHN)

Mrs. Chouinard noted that the Influenza vaccine has arrived. The Employee Clinic will be held on Friday, October 14th from 3:00 to 5:00 p.m. in the Health Department and the Town Wide Clinic will be held on October 20th from 9:00 – 11:00 a.m. and 3:00 – 6:00 p.m. in the Bolack Room at the Senior Center.

Mr. Gardiner stated that the Town Administrator receiving an email from Kathleen Johnson, Assistant City Manager, on a Friday afternoon informing him that due to the religious holiday on Monday, October 3rd, there are no CMRPHA representatives able to attend is not a way to communicate the Health Department. Her email also stated that it may make sense to reschedule the meeting because she understands there are CMRPHA items on the Agenda. Mr. Gardiner felt that this is clearly miscommunications from the Alliance asking to reschedule and adjust to accommodate the Alliance. He continued that the Board is down to one meeting per month to accommodate the Alliance personnel to attend the meetings and stated they clearly have no consideration that other things need to be discussed and permits need to be signed and public services need to be delivered. He continued he completely understands the Holiday but this meeting was scheduled back in August and believes this to be total disregard to schedules and services and he is troubled by the Alliance. He continued we are the customer and have not changed what we expect from three years ago when signing on to be a part of this Alliance and will not accept any disruption in services, lack of response and lack of communication.

Mrs. Chouinard read the report from Jaime Rice on her food and housing inspections. Mr. Kirejczyk questioned one on-going case that was opened in April and wanted to know what the delay is for still not being in compliance. Nancy Connors informed the Board it is a Grafton Housing Authority apartment with the occupant having Multiple Sclerosis. She continued that Jaime has been in contact with the Housing Authority and that some of the violations have been completed and that a second letter to correct was sent out today. The Board would like a report from Jaime and is questioning the delay in correcting the violations.

Dawn Farmer / GGMRC Update

Mrs. Farmer was not present but Mr. Gardiner read a letter from her that she is resigning her position as the Public Health Emergency Preparedness (PHEP) representative for Grafton to be effective immediately. The letter also stated she will be able to stay with the GGMRC through the Influenza season and in the interim period until the Board finds another individual to fill her position. Mrs. Farmer is able to stay on with the GGMRC because the position she has taken is part time in the morning hours. Mr. Gardiner stated the Board owes significant thanks and appreciation to her and wishes her great success. He continued that she has gone over and above her responsibilities by covering the Health Department in the absence of the Office Manager; she assisted in answering the telephones and also with customer service. A letter will be sent to Mrs. Farmer.

Mrs. Chouinard questioned how this position will be posted and if there is an updated job description because she had written the original one approximately six or seven years ago and assumes the duties have changed. Nancy will set time aside with Dawn to go over the job description and get it posted. Mrs. Chouinard stated because it is approximately 15 hours a week it is great mother's hours.

Housing Complaint Update (Phil Leger & Julie VanArsdalen - CMRPHA)

Mrs. Chouinard stated they are not present for the update and this discussion is an issue regarding after hours services which the Board is not happy with. A meeting with Karen Gwozdowski Gauvin, Karyn Clark and the Town Administrator to discuss after hours concerns is scheduled but has not taken place yet.

Mr. Gardiner explained this case occurred on Labor Day Weekend, which coincidentally a storm was also coming up the coast, so CMRPHA had to have someone on call. It was on a Saturday around 1:00 P.M. and when Mr. Leger (CMRPHA) was contacted by Mr. Berger about the situation Mr. Leger contacted Grafton Police Dispatch to take pictures and they would deal with it on Monday. Mr. Gardiner continued clearly what we pay for and expect is not being delivered.

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He continued that in 2013 it was explained that after hours coverage is very important to Grafton and it is stated in the service agreement. The individuals that were involved in 2013 have moved on and are no longer here, however, the expectations and contract have not changed and he feels that they need the right people in place because this situation did not work.

Mr. Gardiner stated the final report received from the Alliance is inaccurate and not acceptable.

Mr. Gardiner has questions for the Alliance and in reading the email from Kathleen Johnson to Mr. McInerney she stated because staff will not be available this evening the Board can submit any needed information or reports in writing. Mr. Gardiner would like a letter sent for clarifications on several issues to do with this case.

Mr. Gardiner gave a synopsis of what occurred. On Saturday, September 3, 2016 at approximately 1:30 P.M. he received a call from Mr. Robert Berger, Inspector of Buildings/Zoning Enforcement Officer, stating he needed someone from the Health Department on a housing issue because the Alliance informed Dispatch to take pictures, secure the property, and they will deal with it on Monday (Labor Day Holiday). Mr. Gardiner responded and was met by Mr. Berger, Grafton Police and a neighbor. The resident had been taken out by ambulance. Upon entering the dwelling it was clearly a hoarding case but he did not do an inspection but was there to make a determination if there were animals in the dwelling. Mr. Gardiner continued is there a complaint registered with the MSPCA and is there any insight with our animal control? In looking over the file he sees no reports on animals.

Mr. Berger took pictures on September 3rd with the Police present and Mr. Berger forwarded those pictures to Nancy Connors who forwarded them to the Board members on Tuesday, September 6th. An inspection was performed by the Alliance on September 7th. Chapter II State Sanitary Code requires inspection within twenty-four (24) hours not five (5) days. Mr. Gardiner continued that Upton had a similar case in August, issued a report, had two emergency meetings and the dwelling was cleaned up within three days – the Alliance took sixteen (16) days.

Mr. Gardiner wants to know why it took so long for the Alliance to get into the dwelling.

He continued that he went into the dwelling on September 3rd, not to do an inspection, only check for animals (approximate time in the dwelling three (3) minutes) and did observe two birds with disease with the Police Officer with him at all times. He identified the two birds and the cage and left. Mr. Berger called Grafton Animal Control while Mr. Gardiner called Animal Control in Worcester and left message with dispatch and no return calls – and stated we now have a problem here and what do we do with the birds.

Mr. Gardiner continued that the next day, Sunday September 4, 2016 Mr. Brook Padgett, Board of Selectman, entered the dwelling and took the birds but is questioning if MSPCA was notified of this situation.

Mr. Gardiner then placed a placard on the front door of the dwelling “unsafe” (not condemned) but unsafe so as to keep the neighbors and the owner out of the dwelling.

On Thursday, September 8th Mr. Gardiner was receiving phone calls from the neighbor and went to the Town Administrator's office to give the telephone number of the neighbor to Mr. McInerney for him to return the call.

At that time Mr. McInerney informed Mr. Gardiner that the dwelling “is habitable because it has hot and cold running water,” however the unit already had been condemned by the Alliance on September 7th.

Mr. Gardiner met with Housing Court. The letter to correct to the owner of the dwelling from the Alliance stated the owner had fourteen (14) days to comply. He continued that it took two hazmat trucks and 2 dumpsters to clean the dwelling. Mr. Gardiner stated this should have been handled immediately. The State Sanitary Code (Chapter 2, 410:820, A, 1) requires that an inspection be conducted with twenty-four (24) hours of notification when there is an imminent health risk.

Mr. Gardiner questioned why there was no mention of the animals in the Order to Correct. The report speaks of feces, debris but no mention of the actual birds. He continued it is a felony to neglect or endanger an animal (Ch. 270-277).

He also wants to know why no emergency meeting of the Board of Health was called to condemn the dwelling. He wants to know when Grafton’s town counsel was notified of the situation.

He is also questioning why the order to correct was dated September 7, 2016 and the Health Department never received a copy until September 19th along with the compliance letter. He would like to know if the letter to correct was properly served because there is no certified mail number on the letter nor is there a green card in the file. In addition to the owner, when a property is condemned it is required that all mortgage holders receive a certified letter; was that indeed done.

Mr. Gardiner reiterated the lack of service and communication for this case.

Amend Supplemental Regulations to Title 5 – Mandatory Connection to Municipal Sewer

The current regulations stipulate if you are selling your house and you have a septic system and town sewer runs by your property you must tie into the municipal sewer whether it is a fail or a pass Title 5 Inspection. After discussion a motion was made by Mr. Kirejczyk to amend the current regulations to state ‘if a Title 5 Inspection Report states the system is Failed, you must tie into the municipal sewer system’, seconded by Mr. Dumas; unanimously passed.

A motion was made by Mrs. Chouinard to adjourn at 6:52 P.M. from Conference Room F to the Health Department to continue the meeting, seconded by Mr. Gardiner; unanimously passed.

A motion was made by Mrs. Chouinard to re-open the Board of Health Meeting at 7:00 P.M., seconded by Mr. Dumas; unanimously passed.

December, January, February Meeting Schedule

The following meeting dates were set: Monday, December 5, 2016 and Monday, January 9, 2017.

To Be Signed

A motion was made by Mrs. Chouinard to pay bills as listed, seconded by Mr. Gardiner; unanimously passed.

Moore Medical	\$ 3,636.95
W B Mason	24.69

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Disposal Works Installers License:

Thomas Stratford / Mid State Sewerage Inc.

Disposal System Construction Permits:

114 Merriam Road / Frederic Churchill

31 Browns Road / David Mason

11 Rodnick Street / Robert Prout

Well Permit:

114 Merriam Road / Frederic Churchill

Minutes

A motion was made by Mrs. Chouinard to accept the Minutes of September 12, 2016 as written, seconded by Mr. Gardiner; unanimously passed.

Old Business

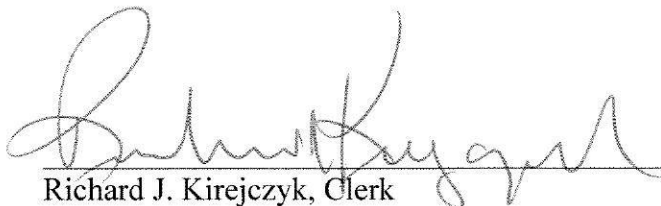
- Mrs. Chouinard questioned the results of the food survey that was done in Grafton and would like the report.
- Mrs. Chouinard stated she is still waiting for a copy of the Draft Medical Marijuana Regulations that she asked the Alliance to see back in May.
- Mrs. Chouinard questioned Mr. Gardiner on his efforts looking into other avenues for a new public health service to which he stated he is pursuing other avenues.
- Mrs. Chouinard informed the Board she received an email from Selectman Jenn Thomas that they have two candidates interested in the Tufts IBC position, Libby Taft and Richard Kirejczyk. This will be voted on at the next Board of Selectman's meeting on October 4th.

The Board reviewed Miscellaneous Corresponded / Mail.

The WRTCC did follow up checks to be sure establishments were in compliance with the newly revised tobacco regulations effective September 1, 2016. Letters were sent to Ultra Mart Convenience Store at 215 Worcester Street for non-compliance with pricing or flavor ban; Cumberland Farms at 22 Upton Street for non-compliance with flavored products and cigar pricing violations; Valley Plaza Discount Liquors at 43 Main Street for selling flavored products and not in compliance with cigar pricing; Village Dairy at 167 Main Street for selling wraps and flavored cigars and pricing not in compliance and Five Star Liquors at 197 Worcester Street for selling flavored cigars and not in compliance with cigar pricing. The letters were educational warnings and no fines have been issued.

A motion was made by Mrs. Chouinard to adjourn at 7:20 P.M., seconded by Mr. Gardiner; unanimously passed.

A true copy,
Attest:



Richard J. Kirejczyk, Clerk